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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION

CIVIL APPLICATION NO.4661 OF 2007
IN
FIRST APPEAL (ST)NO. 7024 OF 2006

Sou Yashoda Balkrishna Anapat & ors. ..Applicants

v/s.
Oriental Insurance Company Ltd. & ors. ..Respondents

Mr. Vijay Patil for the Applicants
Ms. Urmila K. Sanil for the Respondents

CORAM : ANOOP V. MOHTA,J.
DATED : 8th October, 2007

P.C.

This is an application filed by the original claimants who lost their son in the accident in question. The death is inestimable. The Motor Accident Claim Tribunal has granted award in their favour against the owner, driver and Oriental Insurance company. The application is dated 24-5-1992. The Applicants till this date could not withdraw the said amount. The learned counsel appearing for the respondents, however, resisted this application.

2. Taking all this into account at this stage of the proceedings, I am of the view that applicants are entitled to withdraw Rs. 1,50,000/- from the amount already deposited. This is, however, subject to

furnishing security to the satisfaction of the trial Court to the extent of Rs. 75,000/-. The applicants are allowed to withdraw the remaining amount of Rs.75,000/- without furnishing any security.

3. The application is disposed off accordingly with liberty.

[ANOOP V. MOHTA,J.]